

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**February 25, 2000**

## DIVISION ONE

B132329 People (Not for Publication)  
v.  
Hopkins

The judgment is affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.  
Vogel (Miriam A.), J.

B125386 People (Not for Publication)  
v.  
Bautista

The judgment is affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.  
Vogel (Miriam A.), J.

B131751 People (Not for Publication)  
v.  
Gray

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

## February 25, 2000-Continued

## DIVISION ONE (Continued)

B129346 People v. Thompson (Not for Publication)

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The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B122182      People      (Not for Publication)  
v.  
Donis et al.

The judgment is affirmed.

Masterson, J.

We concur: Spencer, P.J.  
Ortega, J.

## DIVISION TWO

Court convened at 9:00 A.M.

Present: Boren, P.J., Nott, J., Cooper, J., Mallano, J., (Assigned) Goodman, J., (Assigned) and G. Villanueva, Deputy Clerk.

B113903      The People  
v.  
Torres

Merits:  
Argued by Kenneth Eston for appellant and Otis Hubbard, deputy district attorney, for respondent. Cause submitted.

DIVISION TWO (Continued)

B130681     The People  
              v.  
              Manouguian

Merits:

Argued by Laura Crawford for appellant and Stephanie Mitchell, deputy attorney general, for respondent. Cause submitted.

B116254     Cordero  
              v.  
              City of Montebello

Merits:

Argued by Donald Cook for appellant and Steven Renick for respondent. Cause submitted.

B119215     Youssef  
              v.  
              Crowell

Merits:

Argued by Jonathan Milberg for appellant and Marc Poster for respondent. Cause submitted.

B118182     Alpert  
              v.  
              Villa Romano Homeowners Association

Merits:

Argued by Steven Klugman for appellant and James Randall for respondent. Cause submitted.

DIVISION TWO (Continued)

B122459     Lacey  
              v.  
              Assessment Appeals Board

Merits:  
Argued by Alan Goldberg for appellant and Derrick Au, deputy county  
counsel, for respondent. Cause submitted.

B119732     Goffney  
              v.  
              Family Savings & Loan

Merits:  
Argued by Keith Goffney appellant in propria persona and by Lawrence  
Dreyfuss for respondent. Cause submitted.

B126533     Plowboys Market Inc.  
              v.  
              City of Hawaiian Gardens

Sanctions:  
Argued by Stephen Beaton for appellant and Richard Del Guercio for  
respondent. Submission deferred.

B124034     Filet Menu Inc.  
              v.  
              C.C.L. & G. Inc.

Merits:  
Argued by Jeffrey Ehrlich for appellant and J. Neil Gielegem for  
respondent. Cause submitted.

## DIVISION TWO (Continued)

B127816      Union Oil Co.  
Litton Systems Inc.  
v.  
City of L.A.

Merits:

Argued by Miguel Dager, deputy city attorney, for appellant and Jeff Baird for respondent Union Oil and William Black and Charles Ajalat for respondent Litton Systems. Cause submitted.

B125787      Post Sound Corp.  
v.  
Superior Nat'l Ins Co.

Merits:

Argued by Burton Senkfor for appellant and Paul Murtagh for respondent.  
Cause submitted.

Court adjourned.

## DIVISION THREE

B120796 People (Not for Publication)  
v.  
Duncan

The judgment is modified by imposing a suspended \$200 parole revocation restitution fine pursuant to Penal Code section 1202.45, a \$50 state penalty assessment pursuant to Penal Code section 1464, and a \$35 county penalty assessment pursuant to Government Code section 76000. The clerk of the superior court is ordered upon issuance of the remittitur to correct the abstract of judgment as set forth in this opinion and to forward to the Department of Corrections. In all other respects, the judgment is affirmed.

Kitching, Acting P.J.

We concur: Aldrich, J.  
Schneider, J. (Assigned)

DIVISION THREE (Continued)

B128087      Namco Capital Group, Inc., etc.    (Not for Publication)  
                 v.  
                 Chrystie & Berle, etc. et al.

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur:    Croskey, Acting P.J.  
                 Schneider, J. (Assigned)

B131383      Los Angeles County, D.C.F.S.    (Not for Publication)  
                 v.  
                 Patricia W.  
                 In re Daniel T., a minor

The judgment is affirmed.

Kitching, J.

We concur:    Klein, P.J.  
                 Croskey, J.

B130863      Los Angeles County, D.C.F.S.    (Not for Publication)  
                 v.  
                 Dawn G.  
                 In re Danielle G., a minor

The judgment is affirmed.

Kitching, J.

We concur:    Croskey, Acting P.J.  
                 Schneider, J. (Assigned)

## February 25, 2000-Continued

## DIVISION FOUR

[illegible]

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.  
Hastings, J.

B123039      People  
v.  
Cramer

Filed order denying petition for rehearing.

## DIVISION FIVE

B124482 Foxgate Homeowners' Association Inc. (Certified for Publication)  
v.  
Bramalea California, Inc. et al.

We reverse and remand for the trial court to prepare, consistent with this decision, a written order as required by Code of Civil Procedure, section 128.5 subdivision (c), or vacate its order awarding sanctions to Foxgate. Each party to bear its own costs on appeal.

Godoy Perez, J.

I concur: Armstrong, J.  
I concur Turner, P.J. (Opinion)

DIVISION FIVE (Continued)

B124376      F.E.A. Logistics Support Corp, et al.      (Not for Publication)  
v.  
Morio Akiba et al.

The order denying the request for attorney fees is affirmed. Plaintiff, F.E.A. Logistics Support Corporation, shall recover its costs on appeal from defendants, Steven A. Deignan and Moiro Akiba.

Turner, P.J.

We concur:    Grignon, J.  
                  Godoy Perez, J.

B121141      Sherri Hopgood      (Not for Publication)  
v.  
Saperstein and Seligman et al.

The judgment is affirmed. The protective cross-appeal is dismissed. Each side is to bear its own costs on appeal.

Turner, P.J.

We concur:    Armstrong, J.  
                  Godoy Perez, J.

B130307      People      (Not for Publication)  
v.  
Degrasse V. Williams

The clerk of the superior court is directed to prepare and deliver to the Department of Corrections an amended abstract of judgment which sets forth the restitution orders imposed against defendant pursuant to Penal Code section 1202.4, subdivisions (b) and (f) and section 1202.45. The judgment is affirmed in all other respects.

Turner, P.J.

We concur:    Grignon, J.  
                  Armstrong, J.



DIVISION FIVE (Continued)

B125396      Novella A. Kemp                      (Not for Publication)

v.

National Pacific Mortgage Corporation et al.

The judgment is reversed. The trial court is directed to enter a new and different order on demurrer, consistent with this opinion. All parties to bear their own costs on appeal.

Armstrong, J.

We concur:   Turner, P.J.  
                     Grignon, J.

B131808      Donna Baker                              (Not for Publication)

v.

Civil Service Commission of the County of Los Angeles  
Los Angeles County; Los Angeles County Department of Children and Family Services

For the reasons set forth above, the judgment is affirmed. Respondents to recover their costs on appeal.

Godoy Perez, J.

We concur:   Grignon, Acting P.J.  
                     Armstrong, J.

B135053      Keith D.                                      (Not for Publication)

v.

The Superior Court of Los Angeles County  
Los Angeles County Department of Children and Family Services

The petition for extraordinary writ is denied.

Godoy Perez, J.

We concur:   Grignon, Acting P.J.  
                     Armstrong, J.

DIVISION FIVE (Continued)

B130486     People  
              v.  
              David Fuggins  
B135090     In re David Fuggins on Habeas Corpus  
  
              Filed order denying petition for rehearing.

B135938     Tri-West Insurance Services, Inc.  
              v.  
              Seguros Monterrey Aetna, S.A.  
  
              Filed order certifying opinion for publication.

DIVISION SEVEN

Add to the minutes of February 18, 2000, the following:

B120174     Grant  
              v.  
              Cahalane  
  
              Petition for rehearing denied by operation of law.